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JURISDICTION AND VENUE

5. Jurisdiction is admitted.

6. It is admitted that Plaintiff is authorized to bring suit under the referenced authorities but denied that he is entitled to any of the relief he seeks.

7. Venue is admitted.

8. Defendant lacks sufficient information to admit or deny the allegations in Paragraph 8; thus, they are denied.

FACTS

9. Admitted.

10. Admitted.

11. It is admitted that Plaintiff sought agreement from Dr. Li not to perform any form of examination of Plaintiff's body after his execution. All remaining allegations are denied.

12. Admitted.

13. Admitted.

14. It is admitted that Dr. Li may need to conduct an autopsy to fulfill his statutory obligations and further compelling state interests. If the findings from the non- or minimally-invasive procedures described in paragraph 1 of this Answer are consistent with the State's legally sanctioned execution procedure, Dr. Li will not conduct an autopsy. All remaining allegations in Paragraph 14 are denied.

15. Defendant lacks sufficient information to admit or deny the allegations in Paragraph 15; thus, they are denied.

STATEMENT OF INCORPORATION

16. The responses in Paragraphs 1-15 are incorporated as if fully set forth herein.

CLAIMS FOR RELIEF

CLAIM ONE

THE RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT ("RLUIPA")

17. The responses in Paragraphs 1-16 are incorporated as if fully set forth herein.

18. Denied.

19. Paragraph 19 does not contain factual allegations for which a response from this Defendant is required.

20. Defendant lacks sufficient information to admit or deny the allegations in Paragraph 20; thus, they are denied.

21. Denied.

22. Denied.

23. Denied.

CLAIM TWO

42 U.S.C. § 1983: FIRST AMENDMENT FREE EXERCISE OF RELIGION

24. The responses in Paragraphs 1-23 are incorporated as if fully set forth herein.

25. Denied.

26. Paragraph 26 does not contain factual allegations for which a response from this Defendant is required.

27. Paragraph 27 does not contain factual allegations for which a response from this Defendant is required.

28. Paragraph 28 does not contain factual allegations for which a response from this Defendant is required.

29. Denied.

30. Denied.

31. Denied.

32. Denied.

CLAIM THREE

Tennessee's Preservation of Religious Freedom Statute

Tennessee Code Annotated § 4-1-407

33. The responses in Paragraphs 1-32 are incorporated as if fully set forth herein.

34. Paragraph 34 does not contain factual allegations for which a response from this Defendant is required.

35. Denied.

PLAINTIFF'S PRAYER FOR RELIEF

It is denied that Plaintiff is entitled to any of the relief sought.

GENERAL DENIAL

Any allegation not specifically admitted in this Answer is hereby denied, and strict proof is demanded thereof.

GENERAL AND AFFIRMATIVE DEFENSES

1. Defendant denies that Plaintiff is entitled to any relief and asserts that this matter should be dismissed for failure to state a claim upon which relief can be granted.

2. Defendant's proposed examination following the execution will not violate any constitutional or statutory right to which Plaintiff is entitled.

3. There is a compelling governmental interest in Defendant examining Plaintiff's body following the State's execution to comply with a statutory duty and ensure that the State carries out the execution consistent with the requirements of law.

4. Defendant's proposed accommodation to Plaintiff's request for a religious exemption to the autopsy procedure that normally follows a State execution is narrowly tailored to achieve compelling governmental interests.

DEFENDANT'S PRAYER FOR RELIEF

WHEREFORE, having answered Plaintiff's Complaint, Defendant prays:

1. That this be accepted as his Answer herein;
2. This this cause be dismissed and held for naught;
3. That all costs and other reasonable fees be charged to and borne by Plaintiff;

and

4. For such other relief as the Court deems appropriate.

Respectfully submitted,

DEPARTMENT OF LAW OF THE
METROPOLITAN GOVERNMENT OF
NASHVILLE AND DAVIDSON COUNTY
WALLACE W. DIETZ (#9949)
DIRECTOR OF LAW

/s/ Allison L. Bussell

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Counsel for Dr. Feng Li

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the forgoing has been served via CM/ECF to:

Amy D. Harwell
Katherine M. Dix
Federal Public Defender for the Middle
District of Tennessee
810 Broadway, Suite 200
Nashville, Tennessee 37203

on this 19th day of April, 2022.

/s/ Allison Bussell
Allison Bussell